



2022 REPORT TO THE LEGISLATURE

COMPLIANCE REVIEW AND SPECIAL INVESTIGATION ACTIVITIES

Prepared by

State Personnel Board

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BACKGROUND

On July 1, 2012, the Governor's Reorganization Plan #1 (GRP1) of 2011 consolidated all of the functions of the Department of Personnel Administration and the merit-related transactional functions of the State Personnel Board (SPB) into the Department of Human Resources (CalHR). Many of SPB's programs transferred to the CalHR along with the associated staff and funding. In addition, the SPB's administrative functions (accounting, business services, human resources, etc.), were transferred to the CalHR. The CalHR staff is now charged with providing these services to the SPB.

The GRP1 recognized and preserved the SPB's exclusive constitutional authority to administer the merit system. As a result, in addition to retaining the Appeals Division, the GRP1 created a Compliance Review Division (CRD) at the SPB to conduct reviews of departmental merit-related practices to ensure compliance with laws, rules, and Board policy. The CRD performs standard reviews on a three-year cycle of five major areas: examinations, appointments, equal employment opportunity (EEO), personal services contracts (PSC), and mandated trainings. The CRD also conducts special investigations of certain departments' personnel practices as determined by the Board. Special investigations may be initiated in response to a specific request or when the SPB obtains information suggesting a potential merit-related violation.

Pursuant to Government Code section 18502, subdivision (c), CalHR and SPB may "delegate, share, or transfer between them responsibilities for programs within their respective jurisdictions pursuant to an agreement." CalHR and SPB, by mutual agreement, expanded the scope of program areas to be audited to include more operational practices that have been delegated to departments and for which CalHR provides policy direction. Many of these delegated practices are cost drivers to the state and not monitored on a consistent, statewide basis.

As such, SPB also conducts compliance reviews on behalf of CalHR of appointing authorities' personnel practices to ensure that state departments are appropriately managing the following non-merit-related personnel functions: compensation and pay, leave, and policy and processes. These reviews will help to avoid and prevent potential costly litigation related to improper personnel practices and deter waste, fraud, and abuse.

Government Code section 18662, subdivision (e), provides in part, "the board shall report to the Chairperson of the Joint Legislative Budget Committee the audit and special investigation activities of the Board pursuant to this article from the preceding fiscal year. The Board shall include in the report the following information:

- (1) A summary of each audit and special investigation, including findings.

(2) The number and total cost of audits and special investigations, by department.”

This report describes the compliance review and special investigation activities of the CRD from July 1, 2021, to June 30, 2022. The report summarizes the compliance review and special investigation findings by state department and includes the numbers and total cost of compliance reviews and special investigations by state department in compliance with the statute cited above.

The CRD continues to post review findings and consult with departments during reviews to educate departments regarding appropriate personnel practices.

Since it started reviewing departments in 2012, the CRD has been able to identify common and repetitious violations. The CRD makes recommendations to CalHR to provide more guidance to departments on common and repetitious violations. The CRD also recommends that departments with repeated violations face further corrective action, including but not limited to mandated training, additional monitoring, voided examinations or appointments, and revocation or modification of delegated agreements.

FACTORS TO CONSIDER WHEN READING THIS REPORT

- Severity denotes the importance of the area reviewed, not the degree of non-compliance for the reviewed area.
- A department can be found to be out of compliance in a review area if there is just one deficiency.
- Since the CRD has been conducting reviews, there have been improvements overall in certain areas i.e., fewer salary mistakes, fewer applications with EEO data attached, and more employees in compliance with required training.¹
- CRD staff continually provide technical assistance to departments to facilitate compliance in a specific area.

¹ Departments who have invested in a Learning Management System (LMS) have been more successful in meeting training and performance evaluation requirements.

INDEX OF REVIEWED AREAS²

Department		Examinations	Appointments	Compensation & Pay	EEO	Leave	Mandated Training ³	PSCs	Policy
1	Agricultural Labor Relations Board	X	X	X	X	X	X	X	X
2	California Unemployment Insurance Appeals Board	X	X	X	X	X	X	X	X
3	California Coastal Commission	X	X	X	X	X	X	X	X
4	California Correctional Health Care Services	X	X	X	X	X	X	X	X
5	California Department of Human Resources	X	X	X	X	X	X	X	X
6	California Energy Commission	X	X	X	X	X	X	X	X
7	California Governor's Office of Business & Economic Development	X	X	X	X	X	X	X	X
8	California Health Facilities Financing Authority	X	X	X	X	X	X	N/A	X
9	California High Speed Rail Authority	X	X	X	X	X	X	X	X
10	California Military Department	X	X	X	X	X	X	X	X
11	California Office of Environmental Health Hazard Assessment	X	X	X	X	X	X	X	X
12	California Pollution Control Financing Agency	X	X	X	X	X	X	X	X
13	California State Lottery	X	X	X	X	X	X	X	X
14	California State Teachers' Retirement System	X	X	X	X	X	X	X	X
15	California State Transportation Agency	X	X	X	X	X	X	X	X
16	California Workforce Development Board	N/A	X	X	X	X	X	X	X
17	Coachella Valley Mountains Conservancy	N/A	N/A	N/A	X	X	X	X	X
18	Commission on Aging	N/A	N/A	N/A	X	X	X	N/A	X
19	Department of Aging	X	X	X	X	X	X	X	X
20	Department of Child Support Services	X	X	X	X	X	X	X	X
21	Department of Finance	X	X	X	X	X	X	X	X
22	Department of Financial Protection and Innovation	X	X	X	X	X	X	X	X

² Not all areas are reviewed for all departments due to a variety of factors, including exemptions under existing law, or no activities under the specific area were conducted by the appointing authority. Findings by area are listed in Appendix A.

³ Review of leadership training was suspended for this fiscal year because of lack of availability due to Covid-19.

Department		Examinations	Appointments	Compensation & Pay	EEO	Leave	Mandated Training ³	PSCs	Policy
23	Department of General Services	X	X	X	X	X	X	X	X
24	Department of Pesticide Regulation		X	X	X	X	X	X	X
25	Department of Resources - Recycling & Recovery	X	X	X	X	X	X	X	X
26	Department of Social Services	X	X	X	X	X	X	X	X
27	Department of Toxic Substances	X	X	X	X	X	X	X	X
28	Department of Veteran's Affairs	X	X	X	X	X	X	X	X
29	Education Audit Appeals Panel	N/A	N/A	N/A	X	X	X	N/A	X
30	Educational Facilities Authority	N/A	N/A	N/A	X	X	X	X	X
31	Employment Training Panel	X	X	X	X	X	X	X	X
32	Gambling Control Commission	X	X	X	X	X	X	X	X
33	Government Operations Agency	X	X	X	X	X	X	X	X
34	Law Revision Commission	N/A	X	X	X	X	X	X	X
35	Milton Marks Little Hoover Commission	N/A	X	X	X	X	X	N/A	X
36	Native American Heritage	N/A	X	X	X	X	X	X	X
37	Office of Administrative Law	N/A	N/A	X	X	X	X	N/A	X
38	Office of Statewide Health Planning and Development	X	X	X	X	X	X	X	X
39	San Francisco Bay Conservation & Development Commission	X	X	X	X	X	X	N/A	X
40	State Controller's Office	X	X	X	X	X	X	X	X

Key:

EEO = Equal Employment Opportunity

PSC = Personal Services Contracts

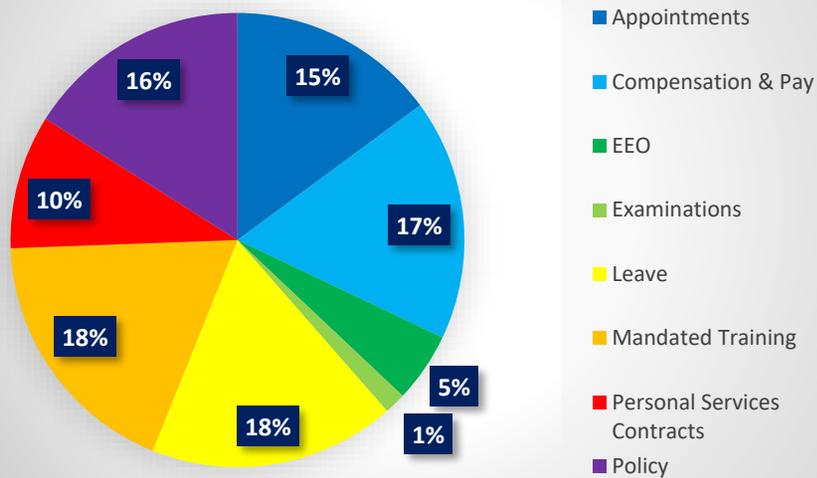
Policy = Policy and Processes

- X Signifies that a review of the area was conducted.
- N/A Signifies that a review of the area was not conducted

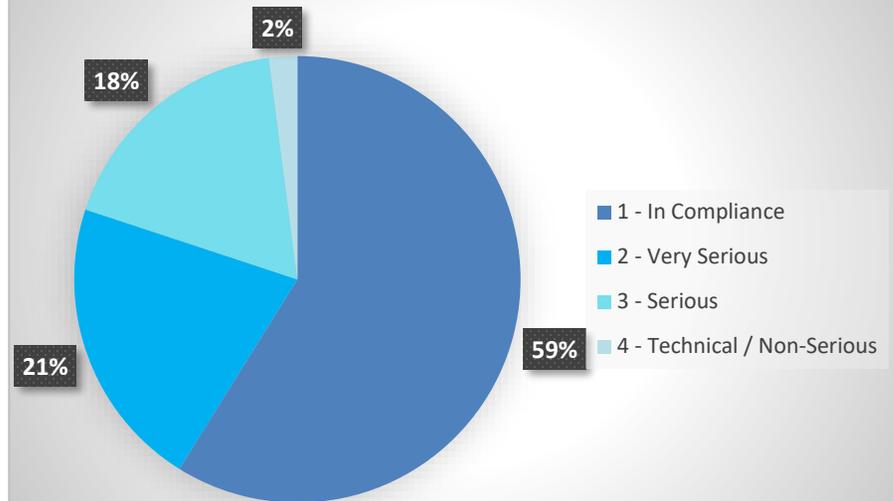
SUMMARY OF COMPLIANCE REVIEW FINDINGS

From July 1, 2021, to June 30, 2022, the CRD completed compliance reviews of 40 state departments. Deficiencies were found in all areas of review. The areas of mandated training, leave, compensation and pay, and policy have the largest number of violations.

2022 Findings by Compliance Area



2022 Findings by Severity



2022 Findings by Compliance Rate

Very Serious Issues	# Departments Out of Compliance	% Departments Out of Compliance
Ethics Training Was Not Provided for All Filers	26	65.0%
Sexual Harassment Prevention Training Was Not Provided for All Supervisors	20	50.0%
Incorrect Authorization of Out-of-Class Pay	12	30.0%
Incorrect Authorization of Bilingual Pay	11	27.5%
Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment	10	25.0%
Department Does Not Maintain a Current Written Nepotism Policy	6	15.0%
Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines	6	15.0%
Incorrect Authorization of Pay Differentials	6	15.0%
A Disability Advisory Committee Has Not Been Established	6	15.0%
Equal Employment Opportunity Questionnaires Were Not Separated from Applications	5	12.5%
Incorrect Application of State Service and Leave Transaction(s)	5	12.5%
Workers' Compensation Policy Was Not Provided to New Employees by the End of First Pay Period	4	10.0%
Equal Employment Opportunity Program Has Not been Established	3	7.5%
Unlawful Appointment	3	7.5%
Injured Employee(s) Did Not Receive Claim Forms Within One Working Day of Notice or Knowledge of Injury	3	7.5%
Equal Employment Opportunity Officer Is Not at the Managerial Level	2	5.0%
Sexual Harassment Prevention Training Was Not Provided for All Employees*	2	5.0%
Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period	2	5.0%
Unlawful Appointment By Way of Transfer	1	2.5%
Candidate(s) Who Did Not Meet the Minimum Qualifications Were (Was) Admitted Into the Examination	1	2.5%
Job Analyses Were Not Developed or Used for the Examination Process	1	2.5%
Serious Issues		
Performance Appraisals Were Not Provided to All Employees	29	72.5%
Unions Were Not Notified of Personal Services Contracts	21	52.5%
Probationary Evaluations Were Not Provided for All Appointments Reviewed	11	27.5%
Incorrectly Posted Leave Usage and/or Leave Credit	11	27.5%

	# Departments Out of Compliance	% Departments Out of Compliance
Very Serious Issues		
Administrative Time Off Was Not Properly Documented	10	25.0%
Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely	9	22.5%
Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely	6	15.0%
Written Justification Was Not Provided for all Personal Services Contracts	4	10.0%
Positive Paid Temporary Employees' Work Exceeded Time Limitations	4	10.0%
Department Did Not Retain Employee Time and Attendance Records	4	10.0%
Department Did Not Certify That All Leave Records Were Reviewed	1	2.5%
4 - Technical / Non-Serious		
Appointment Documentation Was Not Kept for the Appropriate Amount of Time	11	27.5%
Department Did Not Comply with Documentation Requirements for Permanent Withholds	2	5.0%

The violations described above are summarized in more detail in Appendix A.

Severity, Frequency and Repetition of Violations

Violations are categorized into one of three levels:

- Very Serious
- Serious
- Technical/Non-Serious

In addition, the frequency occurrence is classified as follows:

- 1-9% of departments reviewed = Low
- 10-19% of departments reviewed = Medium
- 20%+ of departments reviewed = High

Below is discussion of the frequency and repetition of all the findings, as well as the causes and expected corrective actions. A more detailed explanation of the criteria and severity of each finding is outlined further in Appendix A.

VERY SERIOUS ISSUES

ISSUE 1: ETHICS TRAINING WAS NOT PROVIDED FOR ALL FILERS

Frequency: High. 26 out of 40 departments or 65%.

Repeat Finding: 6 out of 40 departments, or 5%.

Causes⁴: Lack of tracking system; lack of adequate transfer of duties upon staffing changes; failure on the part of employees to take the mandatory training course; failure to forward the certificate to the Human Resources Office; new filers not being notified to complete ethics training timely; communication breakdowns due to remote work.

Corrective Action: Departments were required to submit corrective action plans that demonstrated appropriate steps were taken to ensure that filers will be provided ethics training within the time periods prescribed in Government Code section 11146.3.

⁴ Causes are a brief summary reported by departments in their departmental responses.

ISSUE 2: SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL SUPERVISORS
--

Frequency: High. 20 out of 40 departments or 50%.

Repeat Finding: 7 out of 40 departments, or 17.5%.

Causes: No system in place for tracking and monitoring training; incomplete training within the required time periods; inaccurate reporting; lack of a consistent method to deliver training to new supervisors within six months of appointment; workload and/or scheduling constraints; misfiling of certificates due to remote work; human error.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the actions taken to ensure supervisors will be provided sexual harassment prevention training in accordance with Government Code section 12950.1.

ISSUE 3: INCORRECT AUTHORIZATION OF OUT-OF-CLASS PAY

Frequency: High. 11 out of 48 departments or 23%.

Repeat Finding: 4 out of 40 departments, or 10%.

Causes: Lack of training; misunderstanding of pay rules; absence of checks and balances; inadequate staffing; processing errors.

Corrective Action: Departments were required to submit corrective action plans to ensure compliance with California Code of Regulations, title 2, section 599.810 and outline corrections they implemented to ensure conformity with the out-of-class pay requirements of applicable pay differentials.

ISSUE 4: INCORRECT AUTHORIZATION OF BILINGUAL PAY
--

Frequency: High. 11 out of 40 departments or 27.5%.

Repeat Finding: 3 out of 40 departments, or 7.5%.

Causes: Inability to locate supporting documentation due to filing issues or record retention schedule; inefficiencies within the organization; human error; staff turnover causing inconsistent application of bilingual pay requirements.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections the department implemented to ensure conformity with Government Code section 7296 and Pay Differential 14.

ISSUE 5: INCORRECT APPLICATIONS OF SALARY DETERMINATION LAWS, RULES, AND CALHR POLICIES AND GUIDELINES

Frequency: High. 10 out of 40 departments or 25%.

Repeat Finding: 3 out of 40 departments, or 7.5%.

Causes: Human error; lack of checks and balances; misunderstanding of salary determination rules; staffing issues; lack of training.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections they implemented to ensure that employees will be compensated correctly. They were also required to establish an audit system to correct current compensation transactions as well as future transactions.

ISSUE 6: DEPARTMENT DOES NOT MAINTAIN A CURRENT WRITTEN NEPOTISM POLICY
--

Frequency: Medium. 6 out of 40 departments or 15%.

Repeat Finding: N/A

Causes: Draft nepotism policy was not approved or disseminated; outdated policy which does not contain the required elements of regulation and/or policy; lack of awareness by department of requirement to maintain its own written policy.

Corrective Action: Departments were required to submit corrective action plans, including providing an updated nepotism policy inclusive of the requirements outlined in Human Resources Manual Section 1204 and documentation demonstrating that it had been distributed to all staff.

ISSUE 7: ALTERNATE RANGE MOVEMENTS DID NOT COMPLY WITH CIVIL SERVICE LAWS, RULES, AND CALHR POLICIES AND GUIDELINES
--

Frequency: Medium. 6 out of 40 departments or 15%.

Repeat Finding: 2 out of 40 departments, or 5%.

Causes: Misinterpretation of alternate range criteria; inexperienced staff; insufficient checks and balances; miscalculation of anniversary date.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections the department implemented to ensure that employees will be compensated correctly. They were also required to establish an audit system to correct current compensation transactions as well as future transactions.

ISSUE 8: INCORRECT AUTHORIZATION OF PAY DIFFERENTIALS
--

Frequency: Medium. 6 out of 40 departments or 15%.

Repeat Finding: 1 out of 40 departments, or 2.5%.

Causes: Lack of checks and balances relative to pay differential transactions; lack of training; missing documentation to support the pay differential; human error.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections the department implemented to ensure conformity with applicable pay differentials and ensure that employees will be compensated correctly and that transactions will be keyed accurately.

ISSUE 9: A DISABILITY ADVISORY COMMITTEE HAS NOT BEEN ESTABLISHED
--

Frequency: Medium. 6 out of 40 departments or 15%.

Repeat Finding: 2 out of 40 departments, or 5%.

Causes: Lack of interest from staff; attrition through retirements and other staff departures; agency was not aware that departments could collaborate with other departments to form a multi-agency DAC.

Corrective Action: Departments were required to submit corrective action plans to demonstrate that appropriate steps were taken to ensure the establishment of a DAC consisting of members who have or have an interest in disability issues, set forth in Government Code section 19795.

ISSUE 10: EQUAL EMPLOYMENT OPPORTUNITY QUESTIONNAIRES WERE NOT SEPARATED FROM APPLICATIONS

Frequency: Medium. 5 out of 40 departments or 12.5%.

Repeat Finding: 1 out of 40 departments, or 2.5%.

Causes: Lack of staff oversight; staff error; confusion over new procedures in processing applications.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections the department implemented to ensure that future EEO questionnaires will be separated from all applications.

ISSUE 11: INCORRECT APPLICATION OF STATE SERVICE AND LEAVE TRANSACTIONS
--

Frequency: Medium. 5 out of 40 departments or 12.5%.

Repeat Finding: 1 out of 40 departments, or 2.5%.

Causes: Human error; new leave benefits due to Covid-19 which had to be applied retroactively; lack of training and/or experienced staff; lack of auditing measures and oversight.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections they implemented to achieve compliance with applicable laws and policies relative to the correct application of state service and leave credits.

ISSUE 12: WORKERS' COMPENSATION POLICY WAS NOT PROVIDED TO NEW EMPLOYEES BY THE END OF FIRST PAY PERIOD
--

Frequency: Medium. 4 out of 40 departments or 10%.

Repeat Finding: N/A

Causes: Paper checklist verifying employees were provided Workers' Compensation documents at new employee orientation was not followed and/or retained.

Corrective Action: Departments were required to provide corrective action plans which demonstrated the corrections they implemented to achieve compliance with California Code of Regulations, title 8, section 9880.

ISSUE No. 13 EQUAL EMPLOYMENT OPPORTUNITY PROGRAM HAS NOT BEEN ESTABLISHED
--

Frequency: Low. 3 out of 40 departments or 7.5%.

Repeat Finding: N/A

Causes: Lack of dedicated staff for the program; misunderstanding of the EEO laws.

Corrective Action: Departments were required to provide corrective action responses which demonstrated the corrections they implemented to ensure the establishment of an active EEO program with all required components.

ISSUE 14: UNLAWFUL APPOINTMENT
--

Frequency: Low. 3 out of 40 departments or 7.5%.

Repeat Finding: N/A

Causes: Confusion regarding the unlawful appointment investigation process; lack of oversight; staff error; misinterpretation of minimum qualifications.

Corrective Action: Departments were required to submit written corrective action plans which demonstrated the corrections they implemented to improve their hiring practices.

ISSUE 15: INJURED EMPLOYEES DID NOT RECEIVE WORKERS' COMPENSATION CLAIM FORMS WITHIN ONE WORKING DAY OF NOTICE OR KNOWLEDGE OF INJURY

Frequency: Low. 3 out of 40 departments or 7.5%.

Repeat Finding: N/A

Causes: Supervisor unfamiliarity with requirements to provide the form to the injured employee within one working day of notice or knowledge of injury; insufficient training and oversight; delay in communication.

Corrective Action: Departments were required to submit written corrective action plans which demonstrated the corrections it implemented to achieve conformity with Labor Code section 5401.

ISSUE 16: EQUAL EMPLOYMENT OPPORTUNITY OFFICER IS NOT AT THE MANAGERIAL LEVEL

Frequency: Low. 2 out of 40 departments or 5%.

Repeat Finding: N/A

Causes: Lack of awareness of the requirement for the EEO Officer to be at the managerial level.

Corrective Action: Departments were required to submit corrective action responses which demonstrated the corrections they implemented to ensure conformity with Government Code section 19795, subdivision (a).

ISSUE No. 17 SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL EMPLOYEES

Frequency: Low. 2 out of 40 departments or 5%.

Repeat Finding: N/A

Causes: Despite notifications, employees did not take training as directed.

Corrective Action: Departments were required to submit corrective action responses which demonstrated the corrections they implemented to ensure that all employees will be provided sexual harassment prevention training in accordance with Government Code section 12950.1.

ISSUE 18: COMPLAINANTS WERE NOT NOTIFIED OF THE REASONS FOR DELAYS IN DECISIONS RELATED TO EEO COMPLAINTS WITHIN THE PRESCRIBED TIME PERIOD

Frequency: Low. 2 out of 40 departments or 5%.

Repeat Finding: N/A

Causes: Human error; staff turnover; not following established policies and/or procedures.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections they implemented to ensure conformity with the requirements of California Code of Regulations, title 2, section 64.4, subdivision (a).

ISSUE 19: UNLAWFUL APPOINTMENT BY WAY OF TRANSFER

Frequency: Low. 1 out of 40 departments or 2.5%.

Repeat Finding: N/A

Causes: Human error and misapplication of the State's transfer rules and procedures

Corrective Action: The department was required to submit a written corrective action response which demonstrated the corrections they implemented to improve its hiring practices.

ISSUE 20: CANDIDATE WHO DID NOT MEET THE MINIMUM QUALIFICATIONS WAS ADMITTED INTO THE EXAMINATION

Frequency: Low. 1 out of 40 departments or 2.5%.

Repeat Finding: N/A

Cause: Misinterpretation of the minimum qualifications.

Corrective Action: Department was required to submit a written corrective action response which demonstrated the corrections they implemented to ensure all candidates meet the minimum qualifications prior to admittance into an examination.

ISSUE No. 21 JOB ANALYSES WERE NOT DEVELOPED OR USED FOR THE EXAMINATION PROCESS
--

Frequency: Low. 1 out of 40 departments or 2.5%.

Repeat Finding: N/A

Cause: Unclear retention policy for job analyses.

Corrective Action: Department was required to submit a written corrective action response which verified that the pertinent examination list has been abolished. Additionally, their response addressed the requirement that future examinations must be based upon a job analysis that meets the requirements of the Merit Selection Manual (Cal. Code Regs., tit. 2, § 50).

SERIOUS ISSUES

ISSUE 22: PERFORMANCE APPRAISALS WERE NOT PROVIDED TO ALL EMPLOYEES

Frequency: High. 29 out of 40 departments or 69%.

Repeat Finding: 14 out of 40 departments, or 35%.

Causes: Tracking issues; workload and staff shortages; no current process or policy in place; failure to follow through on completion by management.

Corrective Action: Departments were required to submit corrective action plans to ensure compliance with Government Code section 19992.2 and California Code of Regulations, title 2, section 599.798.

ISSUE 23: UNIONS WERE NOT NOTIFIED OF PERSONAL SERVICES CONTRACTS

Frequency: High. 21 out of 40 departments or 52.5%.

Repeat Finding: 9 out of 40 departments, or 22.5%.

Causes: Staff turnover; lack of following processes consistently; lack of standardized process; staff unaware of the notification requirements; notification documents were not retained; inadequate contract

checklist; lack of training; human error; different interpretation of Government Code.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections the department implemented to ensure conformity with the requirements of Government Code section 19132.

ISSUE 24:	<ul style="list-style-type: none">• PROBATIONARY EVALUATIONS WERE NOT PROVIDED FOR ALL APPOINTMENTS REVIEWED• PROBATIONARY EVALUATIONS WERE NOT PROVIDED FOR ALL APPOINTMENTS REVIEWED AND SOME THAT WERE PROVIDED WERE UNTIMELY
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Frequency: High. 17 out of 40 departments or 42.5%.

Repeat Finding: 10 out of 40 departments, or 25%.

Causes: No formal system in place to provide management with reminders; lack of follow through from managers; staff turnover; lack of tracking process; errors in sending reminders; miscommunication with the Human Resources Department.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections they implemented to achieve conformity with the probationary requirements of Government Code section 19172 and California Code of Regulations, title 2, section 599.795.

ISSUE 25:	INCORRECTLY POSTED LEAVE USAGE AND/OR LEAVE CREDIT
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Frequency: High. 11 out of 40 departments or 27.5%.

Repeat Finding: 2 out of 40 departments, or 5%.

Causes: Leave reports were not audited; human error; procedures not properly followed; staffing shortages; delays with staff and managers completing time sheets.

Corrective Action: Departments were required to submit corrective action plans which demonstrated the corrections they implemented to ensure conformity with Human Resources Manual Section 2101.

ISSUE 26: ADMINISTRATIVE TIME OFF (ATO) WAS NOT PROPERLY DOCUMENTED

Frequency: High. 10 out of 40 departments or 25%.

Repeat Finding: N/A

Causes: Changing Covid-19 ATO rules; lack of monitoring and/or staff oversight; delays in submission of timesheets; human error.

Corrective Action: Departments were required to submit corrective action plans to demonstrate the correction they implemented to achieve compliance with Government Code section 19991.10 and Human Resources Manual Section 2121.

ISSUE 27: DEPARTMENT HAS NOT IMPLEMENTED A MONTHLY INTERNAL AUDIT PROCESS TO VERIFY ALL LEAVE INPUT IS KEYED ACCURATELY AND TIMELY

Frequency: High. 9 out of 40 departments or 22.5%.

Repeat Finding: 4 out of 40 departments, or 10%.

Causes: Untrained and/or inexperienced staff; keying errors; late entries; employees and supervisors did not get timesheets in timely; auditing difficult due to staff shortages; lack of oversight.

Corrective Action: Departments were required to submit corrective action responses that demonstrated the corrections they implemented to ensure their monthly internal audit process will be documented and all leave input will be keyed accurately and timely.

ISSUE 28: WRITTEN JUSTIFICATION WAS NOT PROVIDED FOR ALL PERSONAL SERVICES CONTRACTS

Frequency: Medium. 4 out of 40 departments or 10%.

Repeat Finding: N/A

Causes: Not following internal process consistently; misunderstanding by staff; human error; staff were unaware of the requirement to document with specifics and detailed factual information.

Corrective Action: Departments were required to submit written corrective action plans that demonstrated the corrections they implemented to ensure

conformity with the requirements of Government Code section 19130, subdivision (b), and California Code of Regulations, title 2, section 547.60, subdivision (a).

ISSUE 29: POSITIVE PAID EMPLOYEES' TIME AND ATTENDANCE RECORDS WERE NOT PROPERLY RETAINED AND/OR DOCUMENTED

Frequency: Medium. 4 out of 40 departments or 10%.

Repeat Finding: 2 out of 40 departments, or 5%.

Causes: No effective tracking/noticing mechanism; human error.

Corrective Action: Departments were required to submit written corrective action plans that demonstrated the corrections they implemented to ensure all timesheets will be accounted for and processed in conformity with California Code of Regulations, title 2, section 599.665.

ISSUE 30: DEPARTMENT DID NOT RETAIN EMPLOYEE TIME AND ATTENDANCE RECORDS

Frequency: Medium. 4 out of 40 departments or 10%.

Repeat Finding: N/A

Causes: Misfiling; lack of tracking process; staff errors.

Corrective Action: Departments were required to submit written corrective action plans that addressed the corrections the departments implemented to ensure all timesheets will be accounted for and processed in conformity with California Code of Regulations, title 2, section 599.665.

ISSUE 31: DEPARTMENT DID NOT CERTIFY THAT ALL LEAVE RECORDS WERE REVIEWED

Frequency: Low. 1 out of 40 departments or 2.5%.

Repeat Finding: 1 out of 40 departments, or 2.5%.

Cause: Department had a different process that did not meet CalHR's requirements.

Corrective Action: Department was required to submit a written corrective action plan that addressed the corrections the department implemented to

ensure that its monthly internal audit process will be documented and that all leave input will be keyed accurately and timely.

TECHNICAL ISSUES

ISSUE 32: APPOINTMENT DOCUMENTATION WAS NOT KEPT FOR THE APPROPRIATE AMOUNT OF TIME
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Frequency: High. 11 out of 40 departments or 27.5%.

Repeat Finding: 5 out of 40 departments, or 12.5%.

Causes: Human error; lack of auditing resources; staff not following retention procedures; remote work; manual process susceptible to error.

Corrective Action: Departments were required to submit written corrective action plans that addressed the corrections the departments implemented to ensure conformity with the record retention requirements of California Code of Regulations, title 2, section 26.

ISSUE 43: DEPARTMENT DID NOT COMPLY WITH DOCUMENTATION REQUIREMENTS FOR PERMANENT WITHHOLDS
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Frequency: Low. 2 out of 40 departments or 5%.

Repeat Finding: N/A

Cause: Insufficient documentation process.

Corrective Action: Departments were required to submit written corrective action plans that addressed the corrections the departments implemented to ensure conformity with Human Resources Manual Section 1105 in processing withhold actions.

SPECIAL INVESTIGATIONS AND COMPLAINTS

During fiscal year 2021/2022, the CRD has worked on three special investigations; however, the reports have not been completed at this time and will be reported in a subsequent Legislative report.

Additionally, the CRD received 22 complaints from either named or anonymous complainants. These complaints were referred to the appointing power to investigate and take action, as appropriate. The CRD reviews the outcomes of these investigations to ensure that the agencies are complying with appropriate laws, policies, and CalHR delegation agreements. Of these complaints, 13 were unsubstantiated, 7 were substantiated by the hiring authority, and 2 are pending the investigation results.

COMPLIANCE REVIEW DIVISION COSTS

The CRD completed 40 compliance reviews from July 1, 2021, to June 30, 2022. The total cost of the completed reviews is \$2,003,688. This total includes pro-rata costs for all departments. A breakdown of costs per department is listed in Appendix B.

INDEX OF FINDINGS FOR COMPLIANCE REVIEWS⁵

Agricultural Labor Relations Board

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated from Applications
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Incorrect Authorization of Bilingual Pay
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Unions Were Not Notified of Personal Services Contracts
- Unlawful Appointment Investigations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Coastal Commission

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time

⁵ Findings denoted with a "○" indicate a repeat finding

- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated from Applications
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Authorization of Bilingual Pay
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Unlawful Appointment
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Correctional Health Care Services

- Additional Appointments Complied with Civil Service Laws and Board Rules
- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period
- Department Did Not Retain Employee Time and Attendance Records

- Equal Employment Opportunity Questionnaires Were Not Separated from Applications
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Authorization of Bilingual Pay
- Incorrect Authorization of Out-of-Class Pay
- Incorrect Authorization of Pay Differentials
- Incorrectly Posted Leave Usage and/or Leave Credit
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Temporary Employees' Work Exceeded Time Limitations
- Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unlawful Appointment Investigations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Department of Human Resources

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Incorrect Authorization of Out-of-Class Pay

- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Energy Commission

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Incorrect Authorization of Out-of-Class Pay
- Injured Employee(s) Did Not Receive Claim Forms Within One Working Day of Notice or Knowledge of Injury
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Employees
- Unions Were Not Notified of Personal Services Contracts

California Governor's Office of Business & Economic Development

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Health Facilities Financing Authority

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules

- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California High Speed Rail Authority

- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Authorization of Out-of-Class Pay
- Incorrectly Posted Leave Usage and/or Leave Credit
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees

- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Employees
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Military Department

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Department Did Not Comply with Documentation Requirements for Permanent Withholds
- Department Did Not Retain Employee Time and Attendance Records
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Incorrect Authorization of Bilingual Pay
- Incorrect Authorization of Pay Differentials
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Unlawful Appointment
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Office of Environmental Health Hazard Assessment

- A Disability Advisory Committee Has Not Been Established
- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Department Does Not Maintain a Current Written Nepotism Policy
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Questionnaires Were Not Separated from Applications
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Authorization of Bilingual Pay
- Incorrect Authorization of Pay Differentials
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Workers' Compensation Policy Was Not Provided to New Employees by the End of First Pay Period

California Pollution Control Financing Agency

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California State Lottery

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Department Did Not Properly Monitor Time Worked for All Permanent Intermittent Positive Paid Employees
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Exceptions to Salary Rules Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Incorrect Authorization of Bilingual Pay
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines

- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California State Teachers' Retirement System

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Appointments Complied with Civil Service Laws and Board Rules
- Arduous Pay Authorization Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Exceptions to Salary Rules Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrectly Posted Leave Usage and/or Leave Credit
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California State Transportation Agency

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Timely
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

California Unemployment Insurance Appeals Board

- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules

- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Application of State Service and Leave Transaction(s)
- Incorrect Authorization of Bilingual Pay
- Incorrect Authorization of Out-of-Class Pay
- Incorrect Authorization of Pay Differentials
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Workers' Compensation Policy Was Not Provided to New Employees by the End of First Pay Period

California Workforce Development Board

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Personal Services Contracts Complied with Procedural Requirements
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Coachella Valley Mountains Conservancy

- A Disability Advisory Committee Has Not Been Established
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Policy Was Not Provided to New Employees by the End of First Pay Period
- Written Justification Was Not Provided for all Personal Services Contracts
- Commission on Aging
- Department Does Not Maintain a Current Written Nepotism Policy
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Aging

- A Disability Advisory Committee Has Not Been Established
- Administrative Time Off Was Not Properly Documented
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Arduous Pay Authorization Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Ethics Training Was Not Provided for All Filers
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees

- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Positive Paid Temporary Employees' Work Exceeded Time Limitations
- Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Child Support Services

- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Incorrect Application of State Service and Leave Transaction(s)
- Incorrect Authorization of Out-of-Class Pay
- Incorrectly Posted Leave Usage and/or Leave Credit
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Timely
- Unions Were Not Notified of Personal Services Contracts
- Unlawful Appointment

- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Finance

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Department Did Not Certify That All Leave Records Were Reviewed
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Incorrect Authorization of Out-of-Class Pay
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Financial Protection and Innovation

- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Department Did Not Properly Monitor Time Worked for All Permanent Intermittent Positive Paid Employees
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers

- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Incorrect Authorization of Bilingual Pay
- Incorrect Authorization of Pay Differentials
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of General Services

- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Incorrect Authorization of Bilingual Pay
- Incorrect Authorization of Out-of-Class Pay
- Incorrectly Posted Leave Usage and/or Leave Credit
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules

- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Pesticide Regulation

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated from Applications
- Incorrect Application of State Service and Leave Transaction(s)
- Incorrect Authorization of Out-of-Class Pay
- Incorrectly Posted Leave Usage and/or Leave Credit
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Resources - Recycling & Recovery

- Additional Appointments Complied with Civil Service Laws and Board Rules
- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Incorrect Application of State Service and Leave Transaction(s)
- Incorrect Authorization of Bilingual Pay
- Incorrect Authorization of Out-of-Class Pay
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Social Services

- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Candidate(s) Who Did Not Meet the Minimum Qualifications Were (Was) Admitted Into the Examination

- Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period
- Department Did Not Comply with Documentation Requirements for Permanent Withholds
 - Ethics Training Was Not Provided for All Filers
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
 - Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
 - Incorrect Authorization of Bilingual Pay
 - Incorrect Authorization of Out-of-Class Pay
 - Incorrect Authorization of Pay Differentials
 - Incorrectly Posted Leave Usage and/or Leave Credit
- Injured Employee(s) Did Not Receive Claim Forms Within One Working Day of Notice or Knowledge of Injury
- Job Analyses Were Not Developed or Used for the Examination Process
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
 - Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
 - Positive Paid Temporary Employees' Work Exceeded Time Limitations
 - Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
 - Sexual Harassment Prevention Training Was Not Provided for All Supervisors
 - Unions Were Not Notified of Personal Services Contracts

Department of Toxic Substances Control

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
 - Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Incorrect Application of State Service and Leave Transaction(s)

- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Department of Veteran's Affairs

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Arduous Pay Authorization Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Department Did Not Retain Employee Time and Attendance Records
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Incorrect Authorization of Out-of-Class Pay
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Unlawful Appointment By Way of Transfer
- Unlawful Appointment Investigations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Education Audit Appeals Panel

- A Disability Advisory Committee Has Not Been Established
- Equal Employment Opportunity Officer Is Not at the Managerial Level
- Ethics Training Was Not Provided for All Filers
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Educational Facilities Authority
- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Equal Employment Opportunity Program Complied With All Civil Service Laws and Board Rules
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Personal Services Contracts Complied with Procedural Requirements
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Employment Training Panel

- A Disability Advisory Committee Has Not Been Established
- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Written Justification Was Not Provided for all Personal Services Contracts

Gambling Control Commission

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Written Justification Was Not Provided for all Personal Services Contracts

Government Operations Agency

- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Incorrectly Posted Leave Usage and/or Leave Credit
- Mandated Training Complied with Statutory Requirements
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Law Revision Commission

- Appointments Complied with Civil Service Laws and Board Rules
- Department Does Not Maintain a Current Written Nepotism Policy
- Equal Employment Opportunity Program Has Not been Established
- Ethics Training Was Not Provided for All Filers
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrectly Posted Leave Usage and/or Leave Credit
- Performance Appraisals Were Not Provided to All Employees
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Policy Was Not Provided to New Employees by the End of First Pay Period
- Written Justification Was Not Provided for all Personal Services Contracts

Milton Marks Little Hoover Commission

- A Disability Advisory Committee Has Not Been Established
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Department Does Not Maintain a Current Written Nepotism Policy
- Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
- Equal Employment Opportunity Officer Is Not at the Managerial Level
- Ethics Training Was Not Provided for All Filers
- Incorrectly Posted Leave Usage and/or Leave Credit
- Performance Appraisals Were Not Provided to All Employees
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Native American Heritage

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Department Does Not Maintain a Current Written Nepotism Policy
- Equal Employment Opportunity Program Has Not been Established
- Ethics Training Was Not Provided for All Filers
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Personal Services Contracts Complied with Procedural Requirements
- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors

- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Office of Administrative Law

- Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Department Did Not Retain Employee Time and Attendance Records
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Office of Statewide Health Planning and Development

- Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Incorrectly Posted Leave Usage and/or Leave Credit
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Out-of-Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisals Were Not Provided to All Employees

- Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

San Francisco Bay Conservation & Development Commission

- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
- Examinations Complied with Civil Service Laws and Board Rules
- Hire Above Minimum Requests Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Performance Appraisal Policy and Processes Complied with Civil Service Laws and Regulations and CalHR Policies and Guidelines
- Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely
- Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

State Controller's Office

- Administrative Time Off Was Not Properly Documented
- Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

- Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
 - Ethics Training Was Not Provided for All Filers
- Examinations Complied with Civil Service Laws and Board Rules
 - Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
- Injured Employee(s) Did Not Receive Claim Forms Within One Working Day of Notice or Knowledge of Injury
- Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
 - Performance Appraisals Were Not Provided to All Employees
- Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
 - Positive Paid Temporary Employees' Work Exceeded Time Limitations
 - Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely
- Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
- Sexual Harassment Prevention Training Was Not Provided for All Supervisors
- Unions Were Not Notified of Personal Services Contracts

APPENDIX A: DESCRIPTION OF FINDINGS AND THEIR SEVERITY BY REVIEW AREA

APPOINTMENTS

Appointment Documentation Was Not Kept for the Appropriate Amount of Time

As specified in section 26 of the Board's Regulations, appointing powers are required to retain records related to affirmative action, equal employment opportunity, examinations, merit, selection, and appointments for a minimum period of five years from the date the record is created. These records are required to be readily accessible and retained in an orderly and systematic manner. (Cal. Code Regs., tit. 2, § 26.)

Severity: Technical. Without documentation, the CRU could not verify if the appointments were properly conducted.

- **Probationary Evaluations Were Not Provided for all Appointments Reviewed**
- **Probationary Evaluations Were Not Timely**
- **Probationary Evaluations Were Not Provided for all Appointments Reviewed and Some That Were Provided Were Untimely**

The service of a probationary period is required when an employee enters or is promoted in the state civil service by permanent appointment from an employment list; upon reinstatement after a break in continuity of service resulting from a permanent separation; or after any other type of appointment situation not specifically excepted from the probationary period. (Gov. Code, § 19171.) During the probationary period, the appointing power shall evaluate the work and efficiency of a probationer in the manner and at such periods as the department rules may require. (Gov. Code, § 19172.) A report of the probationer's performance shall be made to the employee at sufficiently frequent intervals to keep the employee adequately informed of progress on the job. (Cal. Code Regs., tit. 2, § 599.795.) A written appraisal of performance shall be made to the Department within 10 days after the end of each one-third portion of the probationary period. (*Ibid.*) The Board's record retention rules require that appointing powers retain all probationary reports for five years from the date the record is created. (Cal. Code Regs., tit. 2, § 26, subd. (a)(3).)

Severity: Serious. The probationary period is the final step in the selection process to ensure that the individual selected can successfully perform the full scope of their job duties. Failing to use the probationary period to assist an employee in improving his or her performance or terminating the appointment upon determination that the

appointment is not a good job/person match is unfair to the employee and serves to erode the quality of state government.

Unlawful Appointment(s)

California Code of Regulations, title 2, section 254 mandates that each vacancy for a class in which the certification of eligibles is under Government Code sections 19057.1 and 19057.3, the department shall fill a vacancy by eligibles in the three highest ranks certified.

Pursuant to Government Code section 18931, subdivision (a), the Board shall establish minimum qualifications for determining the fitness and qualifications of employees for each class of position. In accordance with California Code of Regulations, title 2, section 249.4, appointing powers shall verify that the candidate satisfies the minimum qualifications of the classification before the candidate is appointed.

Severity: Very Serious. An unlawful appointment provides the employee with an unfair and unearned appointment advantage over other employees whose appointments have been processed in compliance with the requirements of civil service law. Unlawful appointments which are not corrected also create appointment inconsistencies that jeopardize the equitable administration of the civil service merit system.

When an unlawful appointment is voided, the employee loses any tenure in the position, as well as seniority credits, eligibility to take promotional examinations, and compensation at the voided appointment level. If "bad faith" is determined on the part of the appointing power, civil or criminal action may be initiated. Disciplinary action may also be pursued against any officer or employee in a position of authority who directs any officer or employee to take action in violation of the appointment laws. If bad faith is determined on the part of the employee, the employee may be required to reimburse all compensation resulting from the unlawful appointment and may also be subject to disciplinary action.

Unlawful Appointment(s) By Way of Transfer

Government Code section 19050.4 provides, in part, that a transfer may be accomplished without examination pursuant to rule.

California Code of Regulations, title 2, section 428 provides that classes meeting the criteria established by this article shall be considered to involve substantially the same level of duties, responsibility and salary for the purposes of Government Code section 19050.4, provided that the Board or the Executive Officer may prohibit transfer

between such classes based on a specific finding that they are in a promotional relationship.

Article VII, Section 1, subdivision (b) of the California Constitution requires that permanent appointment and promotion shall be made under a general system based on merit ascertained by competitive examination. Therefore, a transfer may only be made if the employee has held a permanent appointment made as a result of a competitive examination in the same class or a class substantially the same as the class to which the person is transferring.

Severity: Very Serious. An unlawful appointment provides the employee with an unfair and unearned appointment advantage over other employees whose appointments have been processed in compliance with the requirements of civil service law. Unlawful appointments which are not corrected also create appointment inconsistencies that jeopardize the equitable administration of the civil service merit system.

When an unlawful appointment is voided, the employee loses any tenure in the position, as well as seniority credits, eligibility to take promotional examinations, and compensation at the voided appointment level. If “bad faith” is determined on the part of the appointing power, civil or criminal action may be initiated. Disciplinary action may also be pursued against any officer or employee in a position of authority who directs any officer or employee to take action in violation of the appointment laws. If bad faith is determined on the part of the employee, the employee may be required to reimburse all compensation resulting from the unlawful appointment and may also be subject to disciplinary action.

EQUAL EMPLOYMENT OPPORTUNITY

A Disability Advisory Committee Has Not Been Established

Each state agency must establish a separate committee of employees who are individuals with a disability, or who have an interest in disability issues, to advise the head of the agency on issues of concern to employees with disabilities. (Gov. Code, § 19795, subd. (b)(1).)

Severity: Very Serious. The agency head does not have direct information on issues of concern to employees or other persons with disabilities and input to correct any underrepresentation. The lack of a DAC may limit an agency’s ability to recruit and retain a qualified workforce, impact productivity, and subject the agency to liability.

Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period

The appointing power must issue a written decision to the complainant within 90 days of the complaint being filed. (Cal. Code Regs., tit. 2, § 64.4, subd. (a).) If the appointing power is unable to issue its decision within the prescribed time period, the appointing power must inform the complainant in writing of the reasons for the delay. (*Ibid.*)

Severity: Very Serious. Employees were not informed of the reasons for delays in decisions for discrimination complaints. Employees may feel their concerns are not being taken seriously, which can leave the agency open to liability and low employee morale.

Equal Employment Opportunity Officer Is Not at the Managerial Level

California Government Code section 19795, subdivision (a), states “the appointing power of each state agency and the director of each state department shall appoint, at the managerial level, an equal employment opportunity officer, who shall report directly to, and be under the supervision of, the director of the department, to develop, implement, coordinate, and monitor the agency’s equal employment opportunity program.”

Severity: Very Serious. The EEO Officer is responsible for developing, implementing, coordinating, and monitoring an effective EEO program. Due to the substantial responsibilities held by each department’s EEO Officer, it is essential that each department dedicate adequate resources to the oversight of the EEO program.

Equal Employment Opportunity Program Has Not Been Established

The appointing power must appoint, at the managerial level, an EEO Officer, who shall report directly to, and be under the supervision of, the Director of the department to develop, implement, coordinate, and monitor the department’s EEO program. (Gov. Code, § 19795, subd. (a).) The EEO Officer shall, among other duties, analyze and report on appointments of employees, bring issues of concern regarding EEO to the appointing power and recommend appropriate action, and perform other duties necessary for the effective implementation of the agency EEO plans. (*Ibid.*)

Each state agency must establish a separate committee of employees who are individuals with a disability, or who have an interest in disability issues, to advise the head of the agency on issues of concern to employees with disabilities. (Gov. Code, § 19795, subd. (b)(1).) The department must invite all employees to serve on the committee and take appropriate steps to ensure that the final committee is comprised

of members who have disabilities or who have an interest in disability issues. (Gov. Code, § 19795, subd. (b)(2).)

Severity: Very Serious. To have an effective EEO program, the head of the organization must be actively involved. Due to the substantial responsibilities held by each department's EEO Officer, it is essential that each department dedicate sufficient staff resources to successfully maintain an effective EEO program. The agency head does not have direct information on issues of concern to employees or other persons with disabilities and input to correct any underrepresentation. The lack of a DAC may limit an agency's ability to recruit and retain a qualified workforce, impact productivity, and subject the agency to liability.

Equal Employment Opportunity Questionnaires Were Not Separated From Applications

Government Code section 19704 makes it unlawful for a hiring department to require or permit any notation or entry to be made on any application indicating or in any way suggesting or pertaining to any protected category listed in Government Code section 12940, subdivision (a): for example, a person's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Applicants for employment in state civil service are asked to voluntarily provide ethnic data about themselves where such data is determined by the CalHR to be necessary to an assessment of the ethnic and sex fairness of the selection process and to the planning and monitoring of affirmative action efforts. (Gov. Code, § 19705.) The EEO questionnaire of the state application form (STD 678) states, "This questionnaire will be separated from the application prior to the examination and will not be used in any employment decisions."

Severity: Very Serious. The applicants' protected classes were visible, subjecting the agency to potential liability.

COMPENSATION AND PAY

Alternate Range Movements Did Not Comply with Civil Service Laws, Rules, and CalHR Policies and Guidelines

Alternate ranges are designed to recognize increased competence in the performance of class duties based upon experience obtained while in the class. The employee gains status in the alternate range as though each range were a separate classification. (Classification and Pay Guide Section 220.)

Departments are required to calculate and apply salary rules for each appointed employee accurately based on the pay plan for the state civil service. All civil service classes have salary ranges with minimum and maximum rates. (Cal. Code Regs., tit. 2, § 599.666.)

Severity: Very Serious. Incorrectly applying compensation laws and rules not in accordance with CalHR's policies and guidelines results in civil service employees receiving incorrect and/or inappropriate pay amounts.

Incorrect Applications of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment

Departments are required to calculate and apply salary rules for each appointed employee accurately based on the pay plan for the state civil service. All civil service classes have salary ranges with minimum and maximum rates. (Cal. Code Regs., tit. 2, § 599.666.)

Severity: Very Serious. Incorrectly applying compensation laws and rules in accordance with CalHR's policies and guidelines results in civil service employees receiving incorrect and/or inappropriate pay amounts.

Incorrect Authorization of Bilingual Pay

For any state agency, a "qualified" bilingual employee, person, or interpreter is someone who CalHR has tested and certified, someone who was tested and certified by a state agency or other approved testing authority, and/or someone who has met the testing or certification standards for outside or contract interpreters as proficient in both the English language and the non-English language to be used. (Gov. Code, § 7296, subd. (a)(3).)

An individual must be in a position that has been certified by the department as a position which requires the use of bilingual skills on a continuing basis averaging 10 percent of the time spent either conversing, interpreting or transcribing in a second language and time spent on closely related activities performed directly in conjunction with specific bilingual transactions. (Pay Differential 14.)

Severity: Very Serious. Failure to comply with the state civil service pay plan by incorrectly applying compensation rules in accordance with CalHR's policies and guidelines results in civil service employees receiving incorrect and/or inappropriate pay.

Incorrect Authorization of Out-of-Class Pay

For bargaining unit 1 employees only: An employee may be temporarily required to perform out-of-class work by his/her department for up to one hundred twenty (120) calendar days in any twelve (12) consecutive calendar months when it determines that such an assignment is of unusual urgency, nature, volume, location, duration, or other special characteristics; and, cannot feasibly be met through use of other civil service or administrative alternatives. Departments may not use out-of-class assignments to avoid giving civil service examinations or to avoid using existing eligibility lists created as the result of a civil service examination.

For excluded employees only: Employees may be compensated for performing duties of a higher classification provided that: the assignment is made in advance in writing and the employee is given a copy of the assignment; and the duties performed by the employee are not described in a training and development assignment or by the specification for the class to which the excluded employee is appointed and, are fully consistent with the types of jobs described in the specification for the higher classification; and the employee does not perform such duties for more than 120 days in a fiscal year. (Cal. Code Regs., tit. 2, § 599.810, subd. (b)(1)(3)(4).)

For excluded employees, there shall be no compensation for assignments that last for 15 consecutive working days or less. (Cal. Code Regs., tit. 2, § 599.810, subd. (c).) An excluded employee performing in a higher class for more than 15 consecutive working days shall receive the rate of pay the excluded employee would receive if appointed to the higher class for the entire duration of the assignment, not to exceed one year. (Cal. Code Regs., tit. 2, § 599.810, subd. (d).) An excluded employee may be assigned out-of-class work for more than 120 calendar days during any 12-month period only if the appointing power files a written statement with the CalHR certifying that the additional out-of-class work is required to meet a need that cannot be met through other administrative or civil service alternatives. (Cal. Code Regs., tit. 2, § 599.810, subd. (e).)

Severity: Very Serious. Incorrectly applying compensation laws and rules in accordance with CalHR's policies and guidelines results in civil service employees receiving incorrect and/or inappropriate compensation.

Incorrect Authorization of Pay Differentials

A pay differential may be appropriate when a subgroup of positions within the overall job class might have unusual circumstances, competencies, or working conditions that distinguish these positions from other positions in the same class. Pay differentials are based on qualifying pay criteria such as: work locations or shift assignments; professional or educational certification; temporary responsibilities; special licenses,

skills or training; performance-based pay; incentive-based pay; or recruitment and retention. (CalHR Classification and Pay Manual Section 230.)

Severity: Very Serious. Incorrectly applying compensation laws and rules in accordance with CalHR's policies and guidelines results in civil service employees receiving incorrect and/or inappropriate compensation.

EXAMINATIONS

Candidate(s) Who Did Not Meet the Minimum Qualifications Were (Was) Admitted Into the Examination

According to Human Resources Manual Section 3002, during the examination process and before appointment, information submitted in the application process from all candidates, except those who are on reemployment lists or who have reinstatement rights, must be evaluated for verification of meeting the minimum qualifications of the classification established by the Board.

Additionally, except as otherwise provided by law or regulation, any person who establishes that he or she satisfies the minimum qualifications for any state position, as defined in Government Code section 18522, is eligible, regardless of his or her age, to take any civil service examination given for that position. (Cal. Code Reg., tit. 2, § 171.2.)

Severity: Very Serious. Failure to verify minimum qualifications for candidates during the examination process may result in an unlawful appointment that wastes resources and incurs costs to the state.

Department Did Not Comply with Documentation Requirements for Permanent Withholds

HR Manual Section 1105 mandates that Human Resources offices processing withhold actions must use the appropriate Withhold Determination Worksheet to document the withhold decision. The worksheets are (1) CalHR Form 272 – Minimum Qualifications Withhold Determination Worksheet or (2) CalHR Form 267 – Withhold for Cause Determination Worksheet

Further, human resources offices are required to maintain the following withhold documentation for a period of five years:

1. Withhold Determination Worksheet
2. Job vacancy posting
3. Candidate's application package (including the STD Form 678, and all received documents)
4. Supporting documentation for the withhold determination

5. Copies of all non-system generated correspondence

Severity: Technical. Without documentation, the CRU could not verify if the permanent withhold actions were properly conducted.

Job Analyses Were Not Developed or Used for the Examination Process

The Merit Selection Manual (MSM), which is incorporated in California Code of Regulations, title 2, section 50, mandates the development and use of a job analysis for the examination process. "Job analysis shall serve as the primary basis for demonstrating and documenting the job-relatedness of examination processes conducted for the establishment of eligible lists within the State's civil service." (MSM, § 2200, p. 2.) The MSM requires that job analyses adhere to the legal and professional standards outlined in the job analysis section of the MSM, and that certain elements must be included in the job analysis studies. (*Ibid.*) Those requirements include the following: (1) the job analysis be performed for the job for which the subsequent selection procedure is developed and used; (2) the methodology utilized be described and documented; (3) the job analytics data be presented in writing; (4) the job analytic data be collected from a variety of current sources; (5) the sample size of subject matter expert participants in the data collection activities be representative of the jobs within the classification for which the job analysis is conducted, as well as of sufficient size to yield adequate data; (6) job tasks be specified in terms of importance or criticality, and their frequency of performance, as well as determination of the essential job tasks; (7) job tasks be sufficiently detailed to derive the requisite knowledge, skills, abilities (KSAs); (8) specify the critical KSAs required upon entry for successful job performance; (9) the KSAs be operationally defined; and (10) document linkage between the essential tasks and the important KSAs required upon entry. (MSM, § 2200, pp. 2-3.)

Severity: Very Serious. The examination may not have been job-related or legally defensible.

LEAVE

Administrative Time Off Was Not Properly Documented

Appointing authorities are authorized to approve ATO for up to five (5) working days. (Gov. Code, § 19991.10.) Furthermore, they "have delegated authority to approve up to 30 calendar days." (Human Resources Manual Section 2121.) Any ATO in excess of 30 calendar days must be approved in advance by the CalHR. (*Ibid.*) In most cases, if approved, the extension will be for an additional 30 calendar days. (*Ibid.*) The appointing authority is responsible for submitting ATO extension requests to CalHR at least 5 working days prior to the expiration date of the approved leave. (*Ibid.*)

When requesting an ATO extension, the appointing authority must provide a justification establishing good cause for maintaining the employee on ATO for the additional period of time. (*Ibid.*) ATO may not be used and will not be granted for an indefinite period. (*Ibid.*) If CalHR denies a request to extend ATO, or the appointing authority fails to request approval from CalHR to extend the ATO, the employee must be returned to work in some capacity. (*Ibid.*)

Regardless of the length of ATO, appointing authorities must maintain thorough documentation demonstrating the justification for the ATO, the length of the ATO, and the approval of the ATO. (*Ibid.*)

Severity: Serious. Because an employee on ATO is being paid while not working, a failure to closely monitor ATO usage could result in costly abuse. The use of ATO is subject to audit and review by CalHR and other control agencies to ensure policy compliance. Findings of non-compliance may result in the revocation of delegated privileges.

Department Did Not Certify That All Leave Records Were Reviewed

Each appointing power shall keep complete and accurate time and attendance records for each employee and officer employed within the agency over which it has jurisdiction. (Cal. Code Regs., tit. 2, § 599.665.) Departments are directed to create an audit process to verify all leave input is keyed accurately and timely. (Human Resources Manual Section 2101.) Departments shall identify and record all errors found and shall certify that all leave records for the unit/pay period identified have been reviewed and all leave errors identified have been corrected. (*Ibid.*) Attendance records shall be corrected by the pay period following the pay period in which the error occurred. (*Ibid.*)

Severity: Serious. Departments must document that they reviewed all leave inputted into their leave accounting system to ensure accuracy and timeliness. Failure to audit leave could put the department at risk of incurring additional costs from the initiation of collection efforts from overpayments, and the risk of liability related to recovering inappropriately credited leave hours and funds.

Department Did Not Properly Monitor Time Worked for All Permanent Intermittent Positive Paid Employees

A permanent intermittent employee may work up to 1,500 hours in any calendar year. The number of hours and schedule of work shall be determined based upon the operational needs of each department. (Applicable Bargaining Unit Agreements.)

Severity: Serious. The number of days or hours an individual may work in a permanent intermittent appointment is limited in the state civil service. To ensure permanent intermittent appointments are not made on a full-time basis, a maximum of 1,500 hours has been placed on the number of hours which a permanent intermittent employee may work any calendar year.

Department Did Not Retain Employee Time and Attendance Records

Each appointing power shall keep complete and accurate time and attendance records for each employee and officer employed within the agency over which it has jurisdiction. (Cal. Code Regs., tit. 2, § 599.665.) Such records shall be kept in the form and manner prescribed by the Department of Finance in connection with its powers to devise, install and supervise a modern and complete accounting system for state agencies. (*Ibid.*)

Severity: Serious. The department was unable to reconcile timesheets against their leave accounting system at the conclusion of the pay period, which could have affected employee leave accruals and compensation.

Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely

Each appointing power shall keep complete and accurate time and attendance records for each employee and officer employed within the agency over which it has jurisdiction. (Cal. Code Regs., tit. 2, § 599.665.) Departments are directed to create an audit process to verify all leave input is keyed accurately and timely. (Human Resources Manual Section 2101.) Departments shall identify and record all errors found and shall certify that all leave records for the unit/pay period identified have been reviewed and all leave errors identified have been corrected. (*Ibid.*) Attendance records shall be corrected by the pay period following the pay period in which the error occurred. (*Ibid.*)

Severity: Serious. Departments must document that they reviewed all leave inputted into their leave accounting system to ensure accuracy and timeliness. Failure to audit leave could put the department at risk of incurring additional costs from the initiation of collection efforts from overpayments, and the risk of liability related to recovering inappropriately credited leave hours and funds.

Incorrect Application of State Service and Leave Transaction(s)

In the application of Government Code section 19837, an employee shall be considered to have a month of state service if the employee either: (1) has had 11 or more working days of service in a monthly pay period; or (2) would have had 11 or

more working days of service in a monthly pay period but was laid off or on a leave of absence for the purpose of lessening the impact of an impending layoff. (Cal. Code Regs., tit.2, § 599.608.) Absences from state service resulting from permanent separation for more than 11 consecutive working days which fall into two consecutive pay periods shall disqualify one of the pay periods. (*Ibid.*)

Hourly or daily rate employees working in a state agency in which the full-time workweek is 40 hours who earn the equivalent of 160 hours of service in a monthly pay period or accumulated pay periods shall be considered to have a complete month, a month of service, or continuous service. (Cal. Code Regs., tit.2, § 599.609.) When an employee has a break in service or changes to full-time, any combination of time worked which does not equal one qualifying month of full-time service shall not be accumulated or counted. (*Ibid.*)

Severity: Very Serious. For audit purposes, accurate and timely attendance reporting is required of all departments. If the length of an informal leave results in a non-qualifying pay period, a state service transaction must be processed. Inappropriately authorizing state service credits and leave accruals to employees who did not earn them results in a monetary loss for the department.

Incorrectly Posted Leave Usage and/or Leave Credit

Departments shall create a monthly internal audit process to verify that all leave input into any leave accounting system is keyed accurately and timely. (Human Resources Manual Section 2101.) If an employee's attendance record is determined to have errors or it is determined that the employee has insufficient balances for a leave type used, the attendance record must be amended. (*Ibid.*) Attendance records shall be corrected by the pay period following the pay period in which the error occurred. (*Ibid.*)

Severity: Very serious. Errors in posting leave usage and/or leave credits puts the department at risk of incurring additional costs from the initiation of collection efforts from overpayments, and the risk of liability related to recovering inappropriately credited leave hours and funds.

Positive Paid Temporary Employees' Work Exceeded Time Limitations

If any employee is appointed to an intermittent time base position on a TAU basis, there are two controlling time limitations that must be considered. The first controlling factor is the constitutional limit of nine months in any 12 consecutive months for temporary appointments that cannot be extended for any reason. (Cal Const., art. VII, § 5.) Time worked shall be counted on a daily basis with every 21 days worked counting as one month or 189 days equaling nine months. (Cal. Code Regs., tit. 2, § 265.1, subd. (b).) Another controlling factor limits the maximum work time for student,

youth, and seasonal classifications to 1,500 hours. (Cal. Code Regs., tit. 2, § 265.1, subd. (d).)

According to Government Code Section 21224, retired annuitant appointments shall not exceed a maximum of 960 hours in any fiscal year (July-June) for all state employers without reinstatement or loss or interruption of benefits.

Severity: Serious. The number of days or hours an individual may work in a temporary appointment is limited in the state civil service. TAU appointments are distinguished from other appointments as they can be made in the absence of an appropriate employment list.

Existing law allows a person retired from state service to be rehired by the State as a retired annuitant. However, retired annuitants shall not work more than 960 hours each fiscal year without reinstatement, loss, or interruption of benefits for all state employers.

MANDATED TRAINING

Ethics Training Was Not Provided for All Filers

New filers must be provided ethics training within six months of appointment. Existing filers must be trained at least once during each consecutive period of two calendar years commencing on the first odd-numbered year thereafter. (Gov. Code, § 11146.3, subd. (b).)

Severity: Very Serious. The department does not ensure that its filers are aware of prohibitions related to their official position and influence.

- **Sexual Harassment Prevention Training Was Not Provided for All Supervisors**
- **Sexual Harassment Prevention Training Was Not Provided for All Employees**

Each department must provide its supervisors two hours of sexual harassment prevention training every two years and non-supervisory employees one hour of sexual harassment prevention training every two years. New employees must be provided sexual harassment prevention training within six months of appointment. (Gov. Code, § 12950.1, subds. (a) and (b); Gov. Code, § 19995.4.)

Severity: Very Serious. The department does not ensure that all new and existing supervisors AND new and existing employees are properly trained to respond to sexual harassment or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. This limits the department's

ability to retain a quality workforce, impacts employee morale and productivity, and subjects the department to litigation.

PERSONAL SERVICES CONTRACTS

Unions Were Not Notified of Personal Services Contracts

The contract shall not be executed until the state agency proposing to execute the contract has notified all organizations that represent state employees who perform the type of work to be contracted. (Gov. Code, § 19132, subd. (b)(1).)

Severity: Serious. Unions must be notified of impending personal services contracts to ensure they are aware contracts are being proposed for the type of work that their members could perform.

Written Justification Was Not Provided for All Personal Services Contracts

Whenever an agency executes a personal services contract under Government Code section 19130, subdivision (b), the agency shall document, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions specified in Government Code section 19130, subdivision (b). (Cal. Code Reg., tit. 2, § 547.60, subd. (a).) The agency shall maintain the written justification for the duration of the contract and any extensions of the contract or in accordance with the record retention requirements of section 26, whichever is longer. (Cal. Code Reg., tit. 2, § 547.60, subd. (b).)

Severity: Serious. Without specific written justification detailing why a PSC satisfies one or more conditions specified in Government Code section 19130, the CRU cannot determine whether the department's PSC's complied with current procedural requirements.

POLICY

Department Does not Maintain a Current Written Nepotism Policy

It is the policy of the State of California to hire, transfer, and promote all employees on the basis of merit and fitness in accordance with civil service statutes, rules and regulations. (Human Resources Manual Section 1204). All department nepotism policies shall include six specific components which emphasize that nepotism is antithetical to merit-based civil service and include definitions and prohibitions integral to upholding the merit system. (Cal. Code Regs., tit. 2, § 87.)

Severity: Very Serious. Nepotism is expressly prohibited in the state workplace because it is antithetical to California's merit based civil service. Departments must

take proactive steps to ensure that the hiring, transferring, and promoting of all employees is done on the basis of merit and fitness in accordance with civil service statutes. Maintaining a current written nepotism policy, and its dissemination to all staff, is the cornerstone for achieving these outcomes.

Injured Employee(s) Did Not Receive Claim Forms Within One Working Day of Notice or Knowledge of Injury

An employer shall provide a claim form and notice of potential eligibility for workers' compensation benefits to its employee within one working day of notice or knowledge that the employee has suffered a work-related injury or illness. (Lab. Code, § 540.1, subd. (a).)

Severity: Very Serious. Injured employee(s) were not provided the required forms within the 24-hour time period. Providing the forms within 24-hours of injury prevents any delay in treatment to which an employee is entitled. A work-related injury can result in lost time beyond the employee's work shift at the time of injury and/or result in additional medical treatment beyond first aid.

Performance Appraisals Were Not Provided to All Employees

Appointing powers shall prepare performance reports and keep them on file as prescribed by department rule. (Gov. Code, § 19992.2, subd. (a).) Each supervisor, as designated by the appointing power, shall make an appraisal in writing and shall discuss with the employee overall work performance at least once in each twelve calendar months following the end of the employee's probationary period. (Cal. Code Regs., tit. 2, § 599.798.)

Severity: Serious. The department does not ensure that all of its employees are apprised of work performance issues and/or goals in a systematic manner.

Workers' Compensation Policy Was Not Provided to New Employee by the End of First Pay Period

Employers shall provide to every new employee at the time of hire or by the end of the first pay period written notice concerning the rights, benefits, and obligations under Workers' Compensation law. (Cal. Code of Regs., tit. 8, § 9880.)

Severity: Very Serious. The department does not ensure that its employees are aware of policies and procedures concerning workers' compensation.

APPENDIX B: INDEX OF COMPLIANCE REVIEW COSTS

Department Name	Cost
Agricultural Labor Relations Board	\$ 14,688
Air Resources Board	\$ 39,168
Board of Equalization	\$ 26,928
Board of State & Community Correction	\$ 14,688
Bureau of Legislative Counsel	\$ 39,168
Business, Consumer Services & Housing Agency	\$ 9,792
California Arts Council	\$ 7,344
California Coastal Commission	\$ 26,928
California Community Colleges	\$ 26,928
California Conservation Corps	\$ 26,928
California Debt & Investment Advisory Commission	\$ 7,344
California Exposition & State Fair	\$ 26,928
California Gambling Control Commission	\$ 9,792
California Health Benefit Exchange	\$ 39,168
California Health Facilities Financing Authority	\$ 7,344
California Highway Patrol	\$ 112,608
California Horse Racing Board	\$ 9,792
California Pollution Control Financing Authority	\$ 9,792
California Science Center	\$ 26,928
California State Auditor's Office	\$ 26,928
California State Library	\$ 26,928
California State Treasurer	\$ 26,928
California Student Aid Commission	\$ 26,928
California Tahoe Conservancy	\$ 9,792
California Tax Credit Allocation Committee	\$ 14,688
California Transportation Commission	\$ 9,792
California Workforce Development Board	\$ 9,792
Cannabis Control Appeals Board	\$ 7,344
Commission on State Mandates	\$ 7,344
Consumer Affairs	\$ 68,544
Delta Stewardship Council	\$ 14,688
Dept. of Aging	\$ 26,928
Dept. of Alcoholic Beverage Control	\$ 26,928
Dept. of Child Support Service	\$ 39,168
Dept. of Community Services & Development	\$ 26,928
Dept. of Conservation	\$ 39,168
Dept. of Corrections & Rehabilitation ⁶	\$ 124,848

⁶ Also includes California Correctional Health Care Services.

Department Name	Cost
Dept. of Developmental Services	\$ 68,544
Dept. of Education	\$ 68,544
Dept. of Fair Employment & Housing	\$ 26,928
Dept. of Finance	\$ 26,928
Dept. of Fish & Wildlife	\$ 68,544
Dept. of Food & Agriculture	\$ 39,168
Dept. of Forestry & Fire Protection	\$ 75,888
Dept. of General Services	\$ 68,544
Dept. of Health Care Services	\$ 68,544
Dept. of Housing & Community Development	\$ 39,168
Dept. of Human Resources	\$ 26,928
Dept. of Industrial Relations	\$ 68,544
Dept. of Insurance	\$ 39,168
Dept. of Justice	\$ 68,544
Dept. of Managed Health Care	\$ 26,928
Dept. of Military	\$ 39,168
Dept. of Motor Vehicles	\$ 75,888
Dept. of Parks & Recreation	\$ 68,544
Dept. of Pesticide Regulation	\$ 26,928
Dept. of Public Health	\$ 68,544
Dept. of Real Estate	\$ 26,928
Dept. of Rehabilitation	\$ 39,168
Dept. of Resources Recycling & Recovery	\$ 39,168
Dept. of Social Services	\$ 68,544
Dept. of State Hospitals	\$ 112,608
Dept. of Tax and Fee Administration	\$ 68,544
Dept. of Technology	\$ 39,168
Dept. of Toxics Substance Control	\$ 39,168
Dept. of Transportation	\$ 124,848
Dept. of Veterans Affairs	\$ 68,544
Dept. of Water Resources	\$ 68,544
Emergency Medical Service Authority	\$ 14,688
Employment Development Department ⁷	\$ 75,888
Energy Resources Conserv. & Development Commission	\$ 39,168
Fair Political Practices Commission	\$ 14,688
Financial Information System for California	\$ 26,928
Financial Protection and Innovation	\$ 39,168
Franchise Tax Board	\$ 75,888
Government Operations Secretary	\$ 7,344
Governor's Office of Emergency Services	\$ 39,168

⁷ Also includes California Unemployment Insurance Appeals Board.

Department Name	Cost
Governor's Office of Business & Economic Development	\$ 26,928
High Speed Rail Authority	\$ 26,928
Mental Health Services & Accountability Commission	\$ 9,792
Native American Heritage Commission	\$ 7,344
Office of Administrative Law	\$ 7,344
Office of Environmental Health Hazard Assessment	\$ 26,928
Office of State Controller	\$ 39,168
Office of Statewide Health Planning & Development	\$ 26,928
Office of Systems Integration	\$ 26,928
Office of Tax Appeals	\$ 26,928
Office of the Inspector General	\$ 26,928
Office of the Patient Advocate	\$ 7,344
Peace Officer Standards & Training Commission	\$ 26,928
Prison Industry Authority	\$ 39,168
Public Employees Relations Board	\$ 14,688
Public Employees' Retirement System	\$ 68,544
Public Utilities Commission	\$ 39,168
Sacramento-San Joaquin Delta Conservancy	\$ 7,344
San Francisco Bay Conservation & Development Commission	\$ 9,792
Scholarshare Investment Board	\$ 7,344
Secretary for California Health & Human Services Agency	\$ 9,792
Secretary for Environmental Protection	\$ 14,688
Secretary for Labor & Workforce Development Agency	\$ 9,792
Secretary of State	\$ 39,168
Secretary of the Natural Resources	\$ 14,688
Secure Choice Retirement Savings Investment Board	\$ 7,344
Sierra Nevada Conservancy	\$ 9,792
State Coastal Conservancy	\$ 14,688
State Compensation Insurance Fund	\$ 68,544
State Council on Developmental Disabilities	\$ 14,688
State Lands Commission	\$ 26,928
State Public Defender	\$ 14,688
State Teachers Retirement System	\$ 39,168
State Water Resources Control Board	\$ 68,544
Teacher Credential, Commission on	\$ 26,928
Transportation Secretary	\$ 14,688
Victim Compensation Board	\$ 26,928
Wildlife Conservation Board	\$ 9,792